



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip Y.W. Tsui

Application No.: 10/051,331

Filed: January 15, 2002

For: **TRANSMITTER FOR OPERATING
ROLLING CODE RECEIVERS**

Examiner: Unknown

Art Group: 2185

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OCT 09 2002

Technology Center 2100

**PETITION TO MAKE SPECIAL FOR NEW PATENT APPLICATION
UNDER M.P.E.P. § 708.02, VIII**

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Technology Center 2600

Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Petition

Applicant hereby petitions to make this new application, which has not received any examination by the Examiner, special.

2. Claims

(a) All the claims in this case are directed to a single invention.

(b) If the Office determines that all the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

(c) Applicant is not including an election herewith, but will make an election, if so required, using the established telephone practice as permitted under MPEP § 708.02(VIII)(B).

(d) If claim(s) _____ are found not to be examinable in this case with claim(s) _____, then applicant hereby elects claim(s) _____ for the prosecution of this case.

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3. Search

A search has been made by:

- (a) the inventor
- (b) attorney
- (c) professional searcher
- (d) foreign patent office

in the following:

- (a) field of search:

class: 340 subclasses: 5.1, 5.2, 5.21, 5.22, 5.26, 5.64, 5.71,

5.8,

825.69, 825.72

class: 341 subclasses: 173, 174

- (b) including foreign publications
- (c) including foreign patents

4. Copy of References

There is submitted herewith a copy of the references deemed most closely related to the subject matter encompassed by the claims.

- Also attached is Form PTO/SB/08A (Modified)

5. Detailed Discussion of the References

There is submitted herewith a detailed discussion of the references, which discussion particularly points out how the claimed subject matter is distinguishable over the references, attached hereto as:

- DISCUSSION OF REFERENCES UNDER M.P.E.P. § 708.02, VIII.

6. Fee

The fee required by 37 C.F.R. 1.17(i) is to be paid by

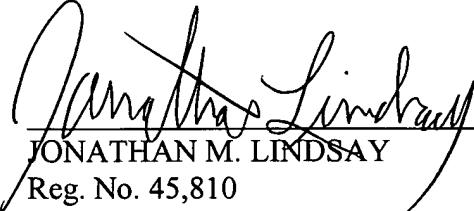
- the attached check for \$130.00
- charging Account 09-0946 the sum of \$_____.

No additional fees are believed to be due. If any additional fees are in fact due, please charge any such fees, and charge any underpayment or credit any overpayment during the prosecution of this application, to our deposit account No. 09-0946, for which purpose a duplicate of the Fee Transmittal is enclosed.

Please direct all correspondence to our below-listed address.

Respectfully submitted,

IRELL AND MANELLA LLP



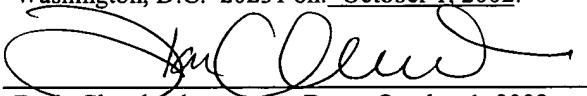
JONATHAN M. LINDSAY
Reg. No. 45,810

Dated: October 1, 2002

840 Newport Center Drive, Suite 400
Newport Beach, California 92660
(949) 760-0991

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on: October 1, 2002.



Darla Cleveland Date: October 1, 2002